

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

GEORGIA McMULLEN)	
550 N. Silver Springs Rd., Bldg. G, Apt. 101,)	
Cape Girardeau, MO 63701,)	
)	
Plaintiff,)	
vs.)	Case No.
)	
MISSOURI SCHOOLS FOR THE SEVERELY)	
DISABLED, MISSOURI DEPARTMENT OF)	
ELEMENTARY & SECONDARY)	
EDUCATION)	
and)	
PARKVIEW STATE SCHOOL,)	
1020 South Parkway Street)	
Cape Girardeau, MO 63701,)	
)	
Defendants.)	

COMPLAINT

Comes now Plaintiff, Georgia McMullen, by and through her attorneys, and for her Complaint against Defendants, states and avers as follows:

1. Plaintiff, Georgia McMullen, is, and at all times relevant hereto, was a resident of Cape Girardeau County, Missouri.
2. Plaintiff is over the age of 50 and is an African American.
3. Defendant, Missouri Schools for the Severely Disabled ("MSSD"), is a State of Missouri-operated program serving Missouri students with severe disabilities. MSSD is administered by the Missouri State Board of Education through the Office of Special Education.
4. Parkview State School in Cape Girardeau, Missouri is one of the schools operated by the MSSD.

5. The Parkview State School and MSSD are employers within the meaning of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000(e).

6. Defendants are also employers under the Missouri Human Rights Act, Chapter 213 RSMo.

7. This action is to redress employment discrimination against Plaintiff by the Defendants. Plaintiff has filed charges of discrimination against Defendants under both the Missouri Commission on Human Rights and the Equal Employment Opportunity Commission and has received a Determination and Notice of Rights to Sue on April 27, 2022.

8. For over 20 years, Plaintiff worked as a teacher's aide at the Parkview State School in Cape Girardeau, Missouri. During her time as a teacher's aide, there were no complaints against Plaintiff by anyone regarding Plaintiff's treatment of the students.

9. Plaintiff retired from Parkview State School and became employed by First Student Management, LLC as a school bus monitor for school buses providing services to Parkview State School.

10. While Plaintiff was actually paid by First Student Management, LLC, her work as a school bus monitor was controlled by Parkview State School. Parkview State School directed which buses Plaintiff was to work on and how she was to conduct her work. As such, Plaintiff was actually employed by Parkview State School as a borrowed employee.

11. On May 12, 2021, Defendant directed First Student Management, LLC to not use Plaintiff as a school bus monitor on buses serving Parkview State School.

12. At the time Plaintiff was dismissed as a school bus monitor for buses serving Parkview State School, First Student Management, LLC had no other jobs available that would

accommodate Plaintiff's needs and schedule and, therefore, Plaintiff was without employment at that point.

13. Defendant's decision to direct and order the removal of Plaintiff as a school bus monitor for Parkview State School was based upon Plaintiff's race as an African American and Plaintiff's age as a person over the age of 60.

14. Defendants informed Plaintiff that she was being dismissed because of an incident involving a student on the bus, but that decision was entirely pretextual based upon information that was false and known by the school to be false.

15. Defendants' dismissal of Plaintiff violated her rights under federal and Missouri law to be free from discrimination.

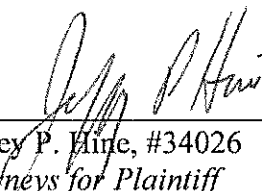
16. As a direct and proximate result of the Defendants' discrimination against Plaintiff, Plaintiff has been damaged through loss of employment income, loss of benefits, mental anguish, embarrassment, and loss of reputation.

WHEREFORE, Plaintiff prays for damages against Defendants, attorneys' fees and costs, and such further and other relief as the Court deems just and proper.

Respectfully submitted,

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By: _____


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PLAINTIFF DEMANDS TRIAL BY JURY